

7897.0100 PROHIBITED ACTS.

Subpart 1. **Scope.** The following activities are considered prohibited acts.

Subp. 2. **Violations of laws.** No person shall engage in conduct which is in violation of federal, state, or local criminal or civil laws.

Subp. 3. **Possession of firearms or weapons.** No person is prohibited by the association shall possess while on the grounds of an association a firearm or other dangerous weapon as defined in Minnesota Statutes, section 609.02, subdivision 6.

Subp. 4. **Destruction of property.** No person shall damage or destroy property of the association or another by fire or any other means.

Subp. 5. **Smoking.** No person shall smoke in nonsmoking areas as designated by the commission or the association.

Subp. 6. **Altercations.** No person shall provoke or engage in a physical altercation while on the grounds of an association.

Subp. 7. **Cooperation with security officers.** No person shall fail to comply with orders of security officers or racing officials or interfere with security officers or racing officials in the performance of their official duties. No racing official shall fail to comply with orders of a steward while in the performance of the steward's duties.

Subp. 8. **Contact with jockeys/drivers.** No persons, except as authorized by the stewards, shall communicate or attempt to communicate with a jockey or driver during racing hours, or attempt to gain entrance to the jockeys'/drivers' quarters at any time.

Subp. 9. **Fraud.** No person shall engage in any fraud or misrepresentation with regard to the sale, breeding, or racing of horses.

Subp. 10. **Financial responsibility.** No licensee shall willfully or deliberately refuse to pay any money when due for any service, supplies, or fees connected with his or her activities as a licensee, nor shall he or she falsely deny any such amount due or the validity of the claim therefore with the purpose of hindering or defrauding the person to whom the indebtedness is due.

A. All financial responsibility complaints against a licensee shall be made in writing, presenting facts sufficient to enable the stewards to determine that the claim is meritorious and is directly related to the licensee's racing activities and that the debt became due within the last two years. The commission shall honor all horse racing related financial complaints that go through the civil courts whereby a civil judgment is presented.

B. Upon receipt of a complaint, the stewards may conduct an investigation and attempt to resolve the matter informally. If the stewards determine that the complaint has merit, and cannot resolve the matter informally or determine that it is not appropriate to

settle the matter informally, then the stewards shall commence the appropriate disciplinary procedures in chapter 7897.

Subp. 11. **Nerved horses.** No person shall bring onto the grounds of a racetrack for the purpose of racing or selling any horse which has had a nerve removed from its leg, other than a horse upon which a posterior digital neurectomy has been performed below the lowest aspect of the base of the proximal sesamoid bones.

Subp. 12. **Horses with impaired vision.** No person shall bring onto the grounds of a racetrack, or enter or cause to be entered in any race, or sell or offer for sale, any horse which has impaired vision in both eyes or suffers from periodic ophthalmia (commonly referred to as "moon blindness").

Subp. 13. **Failure to obtain license.** No person shall fail to secure a Class C license, if required, prior to the performance of his or her occupational duties.

Subp. 14. **Employing unlicensed personnel.** No licensee shall employ unlicensed personnel unless licenses are not required for such personnel.

Subp. 15. **Removing a horse without permission.** No person shall remove from the stable area of a licensed racetrack any horse without the written permission of the racing secretary or the stewards. No person shall remove from the stable area of a licensed racetrack any horse that is in the entries without written permission of the stewards.

Subp. 16. **Helmets to be worn.** No person shall ride or drive a horse while on the grounds of an association without a properly fastened protective riding helmet.

Subp. 17. **Hypodermic equipment and injectable substances prohibited.** The following shall apply to the possession of hypodermic equipment and injectable substances while on the grounds of an association:

A. While within a restricted area of a licensed racetrack no person, other than a veterinarian, shall have in his or her possession any equipment for hypodermic injection or any substance for hypodermic administration. A noninjectable medication prescribed by a veterinarian for an existing condition may be possessed, provided its user has a valid current prescription and its use is consistent with the purposes of this chapter.

B. Notwithstanding item A, any person may have in his or her possession within a restricted area of a licensed racetrack:

(1) a chemical or biological substance for his or her own personal use; provided, that if such chemical substance is prohibited from being dispensed by any federal or state law without prescription, he or she possesses documentary evidence that a valid prescription for such substance has been issued to him or her; and/or

(2) a hypodermic syringe or needle for the purpose of administering a prescribed chemical or biological substance to himself or herself, provided that he or she

has notified the stewards of the possession of such device, the size of such device, and the chemical substance to be administered by the device.

Subp. 18. **Possession of electrical devices.** No person, while on the grounds of an association, shall have in his or her possession any electrical or mechanical device or other appliance, other than an ordinary riding whip, that could be used for the purpose of stimulating a horse or affecting its speed in a race or workout.

Subp. 19. **Driving violation.** No person may park or drive a vehicle on the grounds of the association in a manner which creates a potential hazard to persons or property.

Subp. 20. **Possession or use of a drug, substance, medication, biological product, or venom.**

A. No person may possess or use a drug, substance, medication, biological product, or venom on the premises of a facility under the jurisdiction of the commission:

(1) for which a recognized analytical method has not been developed to detect and confirm the administration of such substance;

(2) the use of which may endanger the health and welfare of the horse or endanger the safety of the rider.

B. No person may possess or use, on the premises of a facility under the jurisdiction of the commission, a drug, substance, medication, biological product, or venom that has not been approved by the United States Department of Agriculture (USDA) or the FDA for any use in human or animal without prior permission of the stewards and commission veterinarian.

C. No person may possess or use venom or blood doping agents, including but not limited to those listed in subitems (1) to (4) on the premises of a facility under the jurisdiction of the commission.

(1) Hemopure®;

(2) Erythropoietin;

(3) Darbepoetin; or

(4) Oxyglobin®.

D. No person shall feed, or cause or knowingly permit to be fed, or conspire in any manner to feed products that contain any drug not permitted by chapter 7890 to a horse entered or to be entered for a race.

E. No person shall have in the person's possession, within the confines of a racetrack or within its stables, buildings, sheds, or grounds, where horses are lodged or kept which are eligible to race over a racetrack, any feed products containing drugs not otherwise and expressly approved for use in race horses.

Statutory Authority: *MS s 240.23; 240.24*

History: *9 SR 2527; 10 SR 1908; 12 SR 2393; 14 SR 332; 15 SR 2307; 16 SR 2684; 28 SR 1482; 34 SR 1135; 36 SR 1407*

Published Electronically: *May 29, 2012*